

CHILD SUPPORT GUIDELINES AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael K. McKell

Senate Sponsor: Todd Weiler

LONG TITLE

General Description:

This bill amends provisions related to child support guidelines.

Highlighted Provisions:

This bill:

- ▶ makes the Child Support Guidelines Advisory Committee an ongoing advisory committee;
- ▶ addresses procedures of the advisory committee; and
- ▶ makes technical and conforming amendments.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

78B-12-401, as last amended by Laws of Utah 2017, Chapter 161

78B-12-402, as last amended by Laws of Utah 2015, Chapter 359

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **78B-12-401** is amended to read:

78B-12-401. Advisory committee created.

(1) (a) [~~On or before May 1, 2018, and then on or before May 1 of every fourth year subsequently, the~~] There is created the advisory committee known as the "Child Support

30 Guidelines Advisory Committee."

31 (b) As used in this part, "advisory committee" means the Child Support Guidelines
32 Advisory Committee.

33 (c) The governor shall appoint [a child support guidelines advisory committee
34 consisting of] the 11 members of the advisory committee as follows:

- 35 (i) one representative recommended by the Office of Recovery Services;
- 36 (ii) one representative recommended by the Judicial Council;
- 37 (iii) two representatives recommended by the Utah State Bar Association;
- 38 (iv) two representatives of noncustodial parents;
- 39 (v) two representatives of custodial parents;
- 40 (vi) one representative with expertise in economics; and
- 41 (vii) ~~[subject to Subsection (1)(b);]~~ two representatives from diverse interests related to
42 child support issues and who are not members of the Utah State Bar Association, as the
43 governor may consider appropriate.

44 ~~[(b) None of the individuals appointed under Subsection (1)(a)(vii) may be members of~~
45 ~~the Utah State Bar Association.]~~

46 ~~[(2) The term of the committee members expires one month after the report of the~~
47 ~~committee is submitted to the Legislature under Section ~~78B-12-402.~~]~~

48 (2) (a) The term of a member of the advisory committee is four years.

49 ~~[(3)]~~ (b) When a vacancy occurs in the membership for any reason, the [replacement
50 shall be appointed] governor shall appoint a replacement for the unexpired term of the member.

51 ~~[(4) The committee ceases to exist no later than November 1, 2017, and then on or~~
52 ~~before November 1 of every fourth year subsequently.]~~

53 (c) The governor may appoint a member of the advisory committee to more than one
54 term.

55 (3) Six members of the advisory committee constitute a quorum. The vote of a majority
56 of a quorum present is an action of the advisory committee.

57 (4) The advisory committee shall elect two members to serve as cochairs of the

58 advisory committee for a term of one year.

59 (5) The advisory committee shall meet at the time and place designated by the cochairs.

60 Section 2. Section **78B-12-402** is amended to read:

61 **78B-12-402. Duties -- Report -- Staff.**

62 (1) The advisory committee shall review the child support guidelines to ensure [their]
63 the application of the guidelines results in the determination of appropriate child support award
64 amounts.

65 (2) The advisory committee shall submit, in accordance with Section 63-3-14, a written
66 report to the [~~Legislative~~] legislative Judiciary Interim Committee on or before October 1,
67 [~~2017~~] 2021, and then on or before October 1 of every fourth year subsequently.

68 (3) The advisory committee's report shall include recommendations of the majority of
69 the advisory committee, as well as specific recommendations of individual members of the
70 advisory committee.

71 (4) Staff for the advisory committee shall be provided from the existing budget of the
72 Department of Human Services.